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Via U.S. Mail and Regulations.gov

November 8, 2010

Water Docket
Environmental Protection Agency
Mail code: 2822T
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460

RE: TMDL for the Chesapeake Bay Watershed
(Docket ID No. EPA-R03-OW-2010-0736)

Dear Sir or Madam:

We are pleased to present our comments on the draft Chesapeake Bay Watershed TMDL. We believe that a TMDL which is fair and equitable and cost effective will provide the greatest level of reasonable assurance of a successful program results to clean up the Chesapeake Bay by 2025.

Additionally, we are very optimistic that there are substantive desires across the board for all of the sectors, and our political leadership to find practicable solutions that can achieve the Bay goals.

We respectfully submit the following comments on the draft TMDL:

1. EPA should rectify the Chesapeake Bay Model based on the Phase 5.3mod urban acreages and reassess the TMDL load allocations based on the corrected output before issuing the TMDLs.
2. EPA should restate the goal of retrofit based upon acreage so that any substantive change in the amount of impervious due to the corrected BayShed model that does not balloon the States' retrofit obligations.
3. No revenues have been identified to undertake these massive obligations. This is particularly crucial in our current state of the economy, the massive unemployment and related state and local government fiscal constraints.
4. EPA's hurry-up mode of developing the TMDL and the very short public comment period cannot lead to a well-thought-out program; and likewise with the lack of stakeholder input as the TMDL was developed. Clearly unintended consequences will arise.
5. Beginning in 2011, for construction projects, every new structure in the Bay watershed will need to offset its potential impact on the Bay by purchasing credits from trading and offset programs that have yet to be developed.

6. The TMDL has been set up so that increases in population are not going to have the same levels of new housing available to them, increased pricing and in turn, limit the many financial benefits of new development.

We would welcome the opportunity to share our concerns with the EPA in greater detail.

Sincerely,

Thomas M. Farasy
President